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Report of the International Atomic Energy Agency

Argentina, Armenia, Australia, Belgium, Bosnia and Herzegovina, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Lithuania, Netherlands, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Report of the International Atomic Energy Agency

The General Assembly,

Having received the report of the International Atomic Energy Agency to the General Assembly for the year 1997,[1]

Noting the statement of the Director General of the International Atomic Energy Agency of 2 November 1998,[2] in which he provided additional information on the main developments in the activities of the Agency during 1998,

Recognizing the importance of the work of the Agency in promoting the further application of nuclear energy for peaceful purposes as envisaged in the statute of the Agency and in accordance with the inalienable right of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[3] and other relevant internationally legally binding agreements that have concluded relevant safeguards agreements with the Agency to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of the Treaty, with other relevant articles and with the objectives and purposes of the Treaty,

[1] International Atomic Energy Agency, *The Annual Report for 1997* (Austria, July 1998) (GC(42)/5), transmitted to the members of the General Assembly by a note by the Secretary-General (A/53/286).

[2] See A/53/PV. ...

[3] United Nations, *Treaty Series*, vol. 729, No. 10485.

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Conscious of the importance of the work of the Agency in the implementation of the safeguards provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and other international treaties, conventions and agreements designed to achieve similar objectives, as well as in ensuring, as far as it is able, that the assistance provided by the Agency or at its request or under its supervision or control is not used in such a way as to further any military purpose, as stated in article II of its statute,

Reaffirming that the Agency is the competent authority responsible for verifying and assuring, in accordance with the statute and the safeguards system of the Agency, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty on the Non-Proliferation of Nuclear Weapons, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices, and also reaffirming that nothing should be done to undermine the authority of the Agency in this regard and that States parties that have concerns regarding non-compliance with the safeguards agreement of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the Agency to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate,

Stressing the need for the highest standards of safety in the design and operation of nuclear installations and in peaceful nuclear activities so as to minimize risks to life, health and the environment,

Considering that an expansion of technical cooperation activities relating to the peaceful uses of nuclear energy will contribute to the well-being of the peoples of the world, recognizing the special needs of the developing countries for technical assistance from the Agency and the importance of funding in order to benefit effectively from the transfer and application of nuclear technology for peaceful purposes as well as from the contribution of nuclear energy to their economic development, and desiring that the resources of the Agency for technical cooperation activities be assured, predictable and sufficient to meet the objectives mandated in article II of its statute,

Recognizing the importance of the work of the Agency on nuclear energy, applications of nuclear methods and techniques, nuclear safety, radiological protection and radioactive waste management, including its work directed towards assisting developing countries in all these fields,

Taking note of the report of the Director General to the General Conference of the International Atomic Energy Agency[4] on the implementation of Security Council resolutions relating to Iraq, of his reports to the Security Council of 15 January,[5] 9 April,[6] 27 July[7] and 7 October 1998,[8] and of resolution GC(42)/RES/3 of 25 September 1998 of the General Conference,[9]

Taking note also of resolutions GOV/2711 of 21 March 1994 and GOV/2742 of 10 June 1994 of the Board of Governors and GC(42)/RES/2 of 25 September 1998 of the General Conference of the International Atomic Energy Agency in connection with the

[4] GC(42)/14.

[5] S/1998/38.

[6] S/1998/312.

[7] S/1998/694.

[8] S/1998/927.

[9] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-second Regular Session, 21–25 September 1998* (GC(42)/RES/DEC(1998)).

implementation of the Agreement between the Government of the Democratic People's Republic of Korea and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons,[10] the statements by the President of the Security Council of 31 March,[11] 30 May[12] and 4 November 1994[13] and the authorization of the Board of Governors, on 11 November 1994, to the Director General, to carry out all the tasks requested of the Agency in the statement by the President of the Security Council of 4 November 1994,

Taking note of resolutions GC(42)/RES/4 on criteria or guidelines for consideration of requests for the restoration of voting rights, GC(42)/RES/10 on the Convention on Nuclear Safety, GC(42)/RES/11 on measures to address the year 2000 issue, GC(42)/RES/12 on the safety of radiation sources and the security of radioactive materials, GC(42)/RES/13 on the safety of transport of radioactive materials, GC(42)/RES/14 on the study of the radiological situation at the atolls of Mururoa and Fangataufa, GC(42)/RES/15 on the strengthening of the technical cooperation activities of the Agency, GC(42)/RES/16 on the plan for producing potable water economically, GC(42)/RES/17 on strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Protocol, GC(42)/RES/18 on measures against illicit trafficking in nuclear materials and other radioactive sources, GC(42)/RES/20 on the participation of Palestine in the work of the International Atomic Energy Agency and GC(42)/RES/21 on the application of Agency safeguards in the Middle East, adopted on 25 September 1998 by the General Conference of the Agency at its forty-second regular session,

Taking note of resolution GC(42)/RES/19 on nuclear testing, adopted on 25 September 1998 by the General Conference of the Agency at its forty-second regular session,

Noting the statement by the President of the forty-second regular session of the General Conference of the Agency, which was endorsed by the General Conference during the tenth plenary meeting and issued under the item concerning Israeli nuclear capabilities and threat, that

> "The General Conference recalls the statement by the President of the thirty-sixth session of the General Conference in 1992 concerning the item entitled 'Israeli nuclear capabilities and threat'. That statement considered it desirable not to consider that item at the thirty-seventh session. At the forty-second session, the item was, at the request of certain member States, reinscribed on the agenda. The item was discussed. The President notes that certain member States intend to include this item in the provisional agenda of the forty-third regular session of the General Conference."

Noting also the statement by the President of the forty-second regular session of the General Conference of the Agency, issued under item 17 concerning article VI of the statute of the Agency, in which the Board was urged to redouble its efforts to achieve a solution to that long-standing issue, pursuant to the mandate conferred on it by the Conference in resolution GC(41)/RES/20 of 3 October 1997 and decision GC(41)/DEC/10 and to report to the Conference at its forty-third regular session on a finalized formula, taking into account the progress achieved so far,

1. *Takes note* of the report of the International Atomic Energy Agency;[1]

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[10] International Atomic Energy Agency, INFCIRC/...

[11] *Resolutions and Decisions of the Security Council, 1994*, document S/PRST/1994/13.

[12] Ibid., document S/PRST/1994/28.

[13] Ibid., document S/PRST/1994/64.

2. *Affirms its confidence* in the role of the Agency in the application of nuclear energy for peaceful purposes;

3. *Welcomes* the measures and decisions taken by the Agency to maintain and strengthen the effectiveness and cost-efficiency of the safeguards system in conformity with the statute of the Agency, in particular, stressing the importance of the Model Additional Protocol approved on 15 May 1997, affirms that strengthening the effectiveness and improving the efficiency of the safeguards system with a view to detecting undeclared nuclear activities must be implemented rapidly and universally by all concerned States and other parties in compliance with their respective international commitments, and requests all concerned States and other parties to safeguards agreements to conclude additional protocols without delay;

4. *Urges* all States to strive for effective and harmonious international cooperation in carrying out the work of the Agency, pursuant to its statute, in promoting the use of nuclear energy and the application of the necessary measures to strengthen further the safety of nuclear installations and to minimize risks to life, health and the environment, in strengthening technical assistance and cooperation for developing countries and in ensuring the effectiveness and efficiency of the safeguards systems of the Agency;

5. *Welcomes* the measures and decisions taken by the Agency to strengthen and fund its technical cooperation activities, which should contribute to achieving sustainable development in developing countries, and calls upon States to cooperate in implementing the measures and decisions pursuant thereto;

6. *Commends* the Director General and the secretariat of the Agency for their continuing, impartial efforts to implement the safeguards agreement still in force between the Agency and the Democratic People's Republic of Korea, recognizes the important role of the Agency in monitoring the freeze of nuclear facilities in the Democratic People's Republic of Korea, as requested by the Security Council, expresses deep concern about the continuing non-compliance of the Democratic People's Republic of Korea with the safeguards agreement, calls upon the Democratic People's Republic of Korea to comply fully with that safeguards agreement and, to this end, urges the Democratic People's Republic of Korea to cooperate fully with the Agency in the implementation of the safeguards agreement and to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the initial report of the Democratic People's Republic of Korea on the inventory of nuclear material subject to safeguards;

7. *Also commends* the Director General of the Agency and his staff for their strenuous efforts to implement Security Council resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 1051 (1996) of 27 March 1996, 1060 (1996) of 12 June 1996, 1115 (1997) of 21 June 1997, 1154 (1998) of 2 March 1998 and 1194 (1998) of 9 September 1998, welcomes the report of the Director General of the Agency of 7 October 1998,[8] calls upon Iraq to cooperate fully with the Agency in accordance with its obligation under the relevant Security Council resolutions and the Memorandum of Understanding signed by the Deputy Prime Minister of Iraq and the Secretary-General on 23 February 1998, as well as to resume a dialogue with the Agency immediately, and stresses that greater transparency by Iraq would contribute greatly to the resolution of the remaining questions and concerns;

8. *Welcomes* the entry into force on 24 October 1996 of the Convention on Nuclear Safety,[14] appeals to all States to become parties to it so that it obtains the widest possible adherence, and expresses its satisfaction that an organizational meeting of the contracting parties was held from 29 September to 2 October 1998 and that a first review meeting will begin on 12 April 1999;

9. *Also welcomes* the measures taken by the Agency in support of efforts to prevent illicit trafficking in nuclear materials and other radioactive sources and, in this context, decides to bear in mind, while elaborating an international convention on the suppression of acts of nuclear terrorism, the activities of the Agency in the prevention and combating of illicit trafficking in nuclear material and other radioactive sources;

10. *Requests* the Secretary-General to transmit to the Director General of the Agency the records of the fifty-third session of the General Assembly relating to the activities of the Agency.

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[14] International Atomic Energy Agency, INFCIRC/449